

March 5, 2004

Ms. Marlene H. Dortch
Secretary, Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers -- CC Docket Nos. 01-338, 96-98 and 98-147; BellSouth Telecommunications, Inc. Request for Declaratory Ruling that State Commissions May Not Regulate Broadband Internet Access Services by Requiring BellSouth to Provide Wholesale or Retail Broadband Services to CLEC UNE Voice Customers – WC Docket No. 03-251

Ex parte presentation pursuant to C.F.R. §1.1206(a)(1)

Dear Ms. Dortch:

Catena Networks, Inc. (“Catena”) met yesterday with Scott Bergmann of Commissioner Adelstein’s staff. Representing Catena were Doug Cooper and myself. During the meeting, Catena addressed the need for prompt action on the petition for reconsideration on the outstanding broadband issues, particularly in light of the Court of Appeals decision upholding the principles underlying the broadband relief provided in the *Triennial Review Order*. In particular, Catena addressed the issue of parity for fiber-to-the-curb, fiber-to-the-MDU, and fiber-to-the-home, consistent with its previous filings on this issue. Catena also urged the Commission to act expeditiously on BellSouth’s petition seeking relief from State utility commission decisions requiring BellSouth to provide broadband services in cases where it loses the customer to a UNE-P competitor. In addition, Catena discussed the incentive effects of the Commission’s broadband policies, including the increase in smaller carriers adopting an “edge out” strategy in some rural markets.

Respectfully submitted,

/s/

Stephen L. Goodman
Counsel for Catena Networks, Inc.

cc: Scott Bergmann